

EXHIBIT A



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January 4, 2022

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Department of Veterans Affairs
Office of General Counsel
Torts Law Group
810 Vermont Avenue, NW
Washington, DC 20420

Re: Raleigh H. Pittman Sr.; SS# 260-72-6587; DOB 10/13/1948

Dear Counsel:

This firm is counsel to the estate of Raleigh H. Pittman, Sr. (deceased), Roleta Pittman, and Raleigh Pittman, Jr. (hereinafter collectively referred to as the "Pittman Family"). Please direct all future correspondences regarding this matter to my attention. We write to you on behalf of the Pittman Family in an effort to resolve their claims against the United States Department of Veterans Affairs arising from res ipsa loquitur, medical negligence, wrongful death, and Georgia's survival statute. Mr. Raleigh H. Pittman Sr. died while under the medical care of the Atlanta VA Medical Center. He was

not employed by the military and unmarried at the time of his death on Friday, September 10, 2021, at approximately 5:00 PM. No insurance of Mr. Raleigh H. Pittman Sr. is implicated or relevant in this case. Witnesses include all relevant Atlanta VA Medical Center staff attending to Mr. Raleigh H. Pittman Sr. This also constitutes notice of claim to the United States Department of Veteran Affairs as required by federal law under 28 U.S.C. § 2675 which requires us to provide you the following information which will be further elaborated below:

Name of the Government Entity: United States Department of Veterans Affairs

Relevant Government Entity Location: Atlanta VA Medical Center, 1670 Clairmont Rd., Decatur, Georgia 30033

Acts or Omissions Giving Rise to Basis of Claim: The act of having exclusive control of its patient Raleigh H. Pittman, Sr., who was in general good health upon admission, during September 2, 2021 – September 10, 2021, and his resulting death on September 10, 2021, while in the care of the Atlanta VA Medical Center; acts of Atlanta VA Medical Center staff wrestling with Raleigh H. Pittman Sr. on September 7, 2021; acts of Atlanta VA Medical Center staff injecting Raleigh H. Pittman Sr. with a sedative or some similar substance on September 7, 2021; other acts or omissions of Atlanta VA Medical Center staff from September 2, 2021 – September 10, 2021, which may be discovered at a later time causing or contributing toward the death of Raleigh H. Pittman Sr.

Time of Transaction or Occurrence Out of Which Loss Arose: 9/2/21 – 9/10/21

Place of the Occurrence: Atlanta VA Medical Center, 1670 Clairmont Rd., Decatur, Georgia 30033

Nature of the Loss Suffered: Death of Raleigh H. Pittman Sr., including all economic and noneconomic damages to the Pittman Family resulting thereof

Amount of Loss Claimed: \$19,500,000.00 total (of which the res ipsa loquitur and medical negligence claims account for the whole amount of loss claimed jointly and severally; of which derivative claims for wrongful death accounts for \$13,000,000.00 and Georgia's survival statute accounting for \$6,500,000.00)

Acts or Omissions Causing the Loss: The act of having exclusive control of its patient Raleigh H. Pittman, Sr., who was in general good health upon admission, during September 2, 2021 – September 10, 2021, and his resulting death on September 10, 2021, while in the care of the Atlanta VA Medical Center; acts of Atlanta VA Medical Center staff wrestling with Raleigh H. Pittman Sr. on September 7, 2021; acts of Atlanta VA Medical Center staff injecting Raleigh H. Pittman Sr. with a sedative or some similar substance on September 7, 2021; other acts or omissions of Atlanta VA Medical Center staff from September 2, 2021 – September 10, 2021, which may be discovered at a later time causing or contributing toward the death of Raleigh H. Pittman Sr.

The evidence shows Mr. Raleigh Pittman Sr., a veteran of the Vietnam War, was admitted to the Atlanta VA Medical Center on or around September 2, 2021, after he fell and injured his hip/knee. Mr. Pittman was otherwise generally healthy upon admission. On or around September 7, 2021, an incident

occurred where VA medical staff wrestled with Mr. Pittman and injected Mr. Pittman with an unknown substance to sedate him. Thereinafter, Mr. Pittman suffered from asystole and he was bleeding internally for unknown reasons. Mr. Pittman was pronounced dead on September 10, 2021.

As you may know, the United States has waived its sovereign immunity for tort actions under the Federal Tort Claims Act. Therefore, the United States and its federal agencies are generally liable for torts like all other citizens. Under the common law principle of *res ipsa loquitur*, a defendant is liable if it has exclusive control of the instrument and circumstances causing injury or death and such injury or death would not have ordinarily occurred but for the defendant's negligence. In the case at bar, Mr. Raleigh H. Pittman Sr., a generally healthy man, was admitted to the Atlanta VA Medical Center for surgery on a broken knee/hip, and he was discharged a week later deceased. Our medical partners are investigating this case for direct evidence of medical negligence. Upon discovery of relevant information, this notice will be accordingly supplemented.

Despite the emotional distress the Pittman Family had suffered, they believe it is in the best interest of all parties concerned to avoid protracted litigation. To that end, the Pittman Family is willing to settle their claims against the United States Department of Veterans Affairs, arising from the facts and circumstances delineated herein for a lump sum payment of \$19,500,000.00.

If you fail to respond within six months of receiving this notice, the Pittman Family will have no choice but to commence litigation against the United States Department of Veterans Affairs and any other culpable parties for, among other things, *res ipsa loquitur*, medical negligence, wrongful death, damages under Georgia's survival statute, and all other remedies available to them under Georgia and federal law.

We look forward to your prompt response.

Sincerely,

David Cheng, Esq.